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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 EQUAL EMPLOYMENT
11 OPPORTUNITY COMMISSION,

12 Plaintiff,

13 v.

14 ALLSTAR FITNESS, LLC,

15 Defendant.

CASE NO. C10-1082JLR

ORDER GRANTING MOTION
TO INTERVENE

16 This matter comes before the court on Proposed Plaintiff-Intervenor Ana Patricia
17 Martinez's motion for leave to intervene as a plaintiff, and to file her proposed Complaint
18 in Intervention. (Dkt. # 11.) The court has considered Ms. Martinez's motion, all
19 submissions filed in support of and opposition to the motion, as well as the pleadings on
20 file. For the reasons stated below, the court GRANTS Ms. Martinez's motion to
21 intervene (Dkt. # 29).
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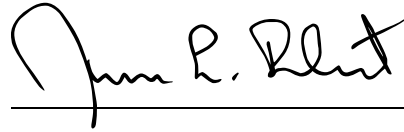
1 Pursuant to Federal Rule of Civil Procedure 24(a)(1), Ms. Martinez seeks to
2 intervene in this action filed on her behalf by the Equal Employment Opportunity
3 Commission (“EEOC”) and to file her proposed Complaint in Intervention. Congress has
4 provided Ms. Martinez with a right to intervene in the EEOC’s suit. *See* 42 U.S.C. §
5 2000e-5(f)(1) (“[T]he person or persons aggrieved shall have the right to intervene in a
6 civil action brought by the [EEOC]. . . .”). Ms. Martinez seeks to bring claims for
7 discrimination in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §
8 2000e. (*See* Mot. (Dkt. # 11) at 2.) Ms. Martinez also asks to court to assert
9 supplemental jurisdiction over her state law claim under Washington’s Law Against
10 Discrimination, RCW ch. 49.60. (*Id.*)

11 Rule 24 requires that motions to intervene be “timely.” Fed. R. Civ. P. 24(a).
12 This action was filed on June 30, 2010. (*See generally* Compl. (Dkt. # 1).) The deadline
13 in this matter for joining additional parties is November 22, 2010. (*See* Sched. Order
14 (Dkt. # 10).) Ms. Martinez filed her motion to intervene on November 17, 2010, and thus
15 it is timely. Trial in this matter is set for April 12, 2012 – more than a year away. (*Id.*)
16 Therefore, the court finds that there will be no prejudice to other parties in permitting Ms.
17 Martinez to intervene at this early point in the lawsuit.

18 The court, therefore, GRANTS Ms. Martinez’s motion to intervene (Dkt. # 11),
19 and ORDERS her to file and serve her proposed Complaint in Intervention within ten
20 days of the date of this order. Defendant Allstar Fitness, LLC, shall then have twenty
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1 days to answer or otherwise respond to the Ms. Martinez's complaint.

2 Dated this 9th day of January, 2011.

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5 JAMES L. ROBART
6 United States District Judge
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